

# HOUSE BILL No. 1900

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** Consumer directed care Medicaid waiver for elderly and disabled. Requires the office of Medicaid policy and planning to apply for a Medicaid waiver that would allow certain Medicaid eligible elderly and disabled persons to receive a cash allowance or control of a specific budget so that they may purchase certain eligible services. Allows the office to include a request that the office provide an eligible Medicaid recipient with a case manager to assist the recipient.

**Effective:** July 1, 2003.

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**Frizzell**

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January 23, 2003, read first time and referred to Committee on Ways and Means.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1900

A BILL FOR AN ACT concerning Medicaid.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE JULY 1, 2003] (a) As used in this  
2       SECTION, "eligible Medicaid recipient" means any of the  
3       following:

4       (1) An individual who:

5           (A) is at least sixty (60) years of age; and

6           (B) is receiving services under a 1915c Medicaid waiver.

7       (2) A physically or developmentally disabled individual who:

8           (A) is at least eighteen (18) years of age but less than  
9           sixty-five (65) years of age; and

10          (B) is receiving Medicaid home and community based  
11          waiver services.

12       (3) A developmentally disabled individual who:

13           (A) is at least three (3) years of age but less than eighteen  
14           (18) years of age; and

15           (B) is receiving Medicaid home and community based  
16          waiver services.

17       (b) As used in this SECTION, "eligible services" means care  
18       received in the home or the community by an eligible Medicaid



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1 recipient that meets the recipient's long term care needs and that  
2 would otherwise make the recipient at risk for institutional  
3 placement.

4 (c) As used in this SECTION, "office" refers to the office of  
5 Medicaid policy and planning established by IC 12-8-6-1.

6 (d) Before January 1, 2004, the office shall apply to the United  
7 States Department of Health and Human Services for approval of  
8 a waiver (commonly referred to as the cash and counseling or cash  
9 and carrying demonstration) that would allow an eligible Medicaid  
10 recipient to receive a cash allowance or control of a specific budget  
11 so that the recipient may purchase eligible services. The office may  
12 include in the waiver request a provision that would allow the  
13 office to provide an eligible Medicaid recipient with a case  
14 manager to assist the recipient by assessing the recipient's needs  
15 and establishing the recipient's budget.

16 (e) The office may not implement the waiver until the office files  
17 an affidavit with the governor attesting that the federal waiver  
18 applied for under this SECTION is in effect. The office shall file the  
19 affidavit under this subsection not later than five (5) days after the  
20 office is notified that the waiver is approved.

21 (f) If the office receives a waiver under this SECTION from the  
22 United States Department of Health and Human Services and the  
23 governor receives the affidavit filed under subsection (e), the office  
24 shall implement the waiver not more than sixty (60) days after the  
25 governor receives the affidavit.

26 (g) The office may adopt rules under IC 4-22-2 necessary to  
27 implement this SECTION.

28 (h) This SECTION expires December 31, 2009.

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